

VZCZCXRO8067
PP RUEHDBU RUEHFL RUEHKW RUEHLA RUEHNP RUEHROV RUEHSL RUEHSR
DE RUEHSI #1786/01 2731438
ZNY CCCCC ZZH
P 301438Z SEP 09
FM AMEMBASSY TBILISI
TO RUEHC/SECSTATE WASHDC PRIORITY 2258
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY
RUEHBJ/AMEMBASSY BEIJING PRIORITY 0302
RUEKJCS/OSD WASHINGTON DC PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 4916
RUEHVEN/USMISSION USOSCE PRIORITY 2304
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 TBILISI 001786

SIPDIS

E.O. 12958: DECL: 09/30/2019
TAGS: [PREL](#) [PGOV](#) [MARR](#) [MOPS](#) [RS](#) [GG](#)
SUBJECT: GEORGIA: TAGLIAVINI REPORT FINDS PLENTY OF BLAME
TO SHARE

REF: TBILISI 468

Classified By: Charge d'Affaires a.i. Kent Logsdon for reasons 1.4 (b) and (d).

11. (C) Summary. The EU-sponsored Tagliavini Commission on the August 2008 war, released in Brussels on September 30, points fingers at many parties, including Georgia, Russia, the de facto authorities, the United States, and the international community writ large. It expressly refuses to identify any one party as most at fault, declaring that "while it is possible to identify the authorship of some important events and decisions marking its course, there is no way to assign overall responsibility for the conflict to one side alone." It considers as unjustified Georgia's full-scale attack on Tskhinvali, Russia's invasion of undisputed Georgia, and Russia's recognition of the regions' independence. Key themes include the steady escalation of tensions in the years immediately preceding the war; the failure of the international community to act resolutely to defuse those tensions; Russia's interest in establishing a privileged zone of interest; Georgia's forceful assertion of its intent to reunify the country; the identification of Russia and Georgia as the key antagonists; and the troubling degradation of key principles of international law and political practice that the conflict represents. The Georgian Government has issued its first public reaction, noting its agreement with most of the report and not surprisingly, stressing those parts that support its version of the events. End Summary.

12. (C) Comment. The Georgian Government and many Georgians will spend the next hours and days reviewing the report and making comments. Top government officials began meeting immediately after the release of the report, presumably to formulate its response. Reintegration Minister Yakobashvili's first comments are unlikely to be the Georgian Government's last word on the subject, but thus far the tone taken has been measured. End Comment.

13. (C) Post reviewed Volume I of the three-volume report of the EU-sponsored Independent International Fact-Finding Mission on the Conflict in Georgia (IIFFMCG, commonly referred to as the Tagliavini Commission after its head of mission, Swiss diplomat Heidi Tagliavini -- see reftel). Volume I offers an extended executive summary of the Commission's findings and conclusions. The report is comprehensive, candid, courageous, even-handed, and ambitious. It attempts to trace the roots of the conflict back to well before August 7, even as far back as the original 1783 treaty providing for Russian protection for Georgia, but in particular in the post-Soviet period. Noting that all sides extended their full cooperation in the preparation of the report, and that no side attempted to interfere in its work, the Commission does not back down from

levelling frank assessments of the decisions and actions by various parties, including those not directly involved in the conflict, even though it no doubt understood it would earn sustained criticism for many of those assessments. It seems to have tried to weigh the evidence available as objectively as it could, while cautioning that it can make no claim to complete knowledge of the events under consideration. Finally, it not only evaluates the specific actions of various actors, but it concludes with a series of "observations," or lessons, for the international community to take away from the conflict. Perhaps recognizing that the report's conclusions will not resolve in any final sense the historical debate, the Commission recommends that the report be used by the international community not to apportion blame, but to look forward, applying the lessons of the conflict to efforts to find a more durable resolution of the still simmering conflict.

¶4. (C) Key findings on the conflict itself include: Georgia's claim of provocation by an August 7 influx of Russian troops was unsubstantiated, and its attack on Tskhinvali was unjustified; immediate South Ossetian and Russian defensive reactions to the Georgian attack were justified, but their subsequent invasion of and actions in the rest of Georgia were not; South Ossetian irregulars were allowed to commit serious human rights violations, including ethnic cleansing; Georgia did not commit genocide; the events in South Ossetian and Abkhazia were separate, and the Abkhaz attack on the Upper Kodori Valley, supported by Russia, was unjustified. Key findings on legal elements of the conflict include: Russia's recognition of the regions as independent had no

TBILISI 00001786 002 OF 002

justification in international law; and Russia's extension of Russian citizenship via the distribution of passports to residents of Georgia was also unjustified and need not be acknowledged by other countries.

¶5. (C) The report takes a much broader view than the events of August 2008, however, beginning its analysis in the 18th century and focusing in particular on the years running up to the conflict, finding fault on all sides for escalating tensions. It clearly identifies Russia and Georgia as the key antagonists, but notes that some international players, such as the United States and its military engagement with Georgia, may have contributed to the worsening of relations. It criticizes the Georgian government for "overplaying its hand and acting in the heat of the moment." It criticizes Russia for employing a "great power's coercive politics and diplomacy." It also draws troubled conclusions about the deeper meaning of the conflict for the current state of international relations, noting that the "political culture of cooperativeness" that began developing in Europe in the 1970s has been damaged, with the "threat and use of force" having now returned to European politics.

¶6. (C) In a press conference a few hours after Volume I's release on September 30, Georgian Minister for Reintegration Temuri Yakobashvili offered the government's initial reactions. Maintaining a relatively dispassionate tone, Yakobashvili stated that the government agrees with most of the report. He unsurprisingly highlighted those elements of the report that support Georgia's version of events, including in particular the fact that the conflict began long before August 7, that Russia had no right either to invade Georgian territory or recognize the regions' independence, and that ethnic cleansing took place. He rejected, however, the report's assertions that there was no substantiation of the Georgian allegation of Russia's incursion on August 7, and that Georgia's use of force against Tskhinvali was excessive. He concluded with the statement that it was Russia that invaded Georgia, while Georgia never crossed out of its own borders.

LOGSDON